



## Legislation Details (With Text)

**File #:** RLH RR 11- 61      **Version:** 3

**Type:** Resolution LH Substantial Abatement Order      **Status:** Passed

**In control:** City Council

**Final action:** 4/4/2012

**Title:** Ordering the rehabilitation or razing and removal of the building(s) at 499 LYNNHURST AVENUE WEST within one hundred eighty (180) days after the April 4, 2012 City Council public hearing.

**Sponsors:** Russ Stark

**Indexes:** Substantial Abatement Orders, Ward - 4

**Code sections:**

**Attachments:** 1. 499 Lynnhurst Ave W Order to Abate a Nuisance.pdf, 2. 499 Lynnhurst Ave W Public Hearing Notification.pdf, 3. 499 Lynnhurst.Photos.6-22-11.pdf, 4. 499 Lynnhurst.Bank Contact.10-25-11.pdf, 5. 499 Lynnhurst Ave.Adams R-R Ltr 11-9-11.pdf, 6. 499 Lynnhurst Ave W.Historic Info from Central Corridor Study.pdf, 7. 499 Lynnhurst Ave.Adams R-R Ltr 11-29-11.pdf, 8. 499 Lynnhurst Ave W.Ubl Ltr Re Partial Demo.12-23-11..pdf, 9. 499 Lynnhurst.Partial Demo Bid.1-4-12.pdf, 10. 499 Lynnhurst.Survey.1-10-12.pdf, 11. 499 Lynnhurst Ave.Adams R-R Ltr 1-12-12.pdf, 12. 499 Lynnhurst Ave W.Partial Demo Bid.2-17-12.pdf, 13. 499 Lynnhurst Ave W.Adam Email.2-23-12.pdf, 14. 499 Lynnhurst Ave.Adams R-R Ltr 3-2-12.pdf, 15. 499 Lynnhurst Ave.Adams R-R Ltr 3-14-12.pdf, 16. 499 Lynnhurst Ae.UPDC Letter.3-29-2012.pdf

Date	Ver.	Action By	Action	Result
4/10/2012	3	Mayor's Office	Signed	
4/4/2012	2	City Council	Adopted As Amended	Pass
3/21/2012	2	City Council	Continue Public Hearing	Pass
3/13/2012	2	Legislative Hearings	Referred	
2/28/2012	2	Legislative Hearings	Laid Over	
1/18/2012	2	City Council	Continue Public Hearing	Pass
1/10/2012	2	Legislative Hearings	Referred	
12/21/2011	2	City Council	Continue Public Hearing	
11/22/2011	2	Legislative Hearings	Referred	
11/16/2011	2	City Council	Continue Public Hearing	Pass
11/8/2011	2	Legislative Hearings	Referred	
11/2/2011	2	City Council	Continue Public Hearing	Pass
10/5/2011	2	City Council	Continue Public Hearing	Pass
9/13/2011	1	Legislative Hearings	Referred	

Ordering the rehabilitation or razing and removal of the building(s) at 499 LYNNHURST AVENUE WEST within one hundred eighty (180) days after the April 4, 2012 City Council public hearing.

### **AMENDED 4/4/12**

WHEREAS, the Department of Safety and Inspections has determined that 499 LYNNHURST AVENUE WEST is a nuisance building pursuant to Saint Paul Legislative Code §45.02 as 1) it is a vacant building as defined in §43.02; and 2) it has multiple housing code or building code violations or it has conditions constituting material endangerment as defined in §34.23, or it has a documented and confirmed history as a blighting influence in the community; and

WHEREAS this property is legally described as follows, to wit: Union Park Lot 128; and

WHEREAS, based upon the records in the Ramsey County Recorder's Office and information on file or obtained by the Department of Safety and Inspections, the following are the owners, interested or responsible parties for the subject property as of August 12, 2011: Lani M Farrell/Stephen D Farrell, 14934 Bluebird St NW, Andover, MN 55304-3483; Franklin Bank, 24725 W 12 Mile Road #210, Southfield, MI 48034-8344; First Place Bank, 999 E Main Street, Ravenna, OH 44266; Union Park District Council; and

WHEREAS, each of these parties was served a written order dated July 1, 2011 advising them of the basis for the determination that the subject property was a nuisance and that the nuisance building was to be repaired or razed and removed by August 1, 2011; and

WHEREAS, this order informed the interested or responsible parties that they must repair or raze and remove the structures(s) located on the Subject Property by August 1, 2011; and

WHEREAS, a placard indicating the City's order that this nuisance building be abated was posted on the building on July 5, 2011 in accordance with Saint Paul Legislative Code §45.11(2)c; and

WHEREAS, the nuisance condition was not corrected by August 1, 2011 and, therefore, an abatement hearing was scheduled before the City Council on October 5, 2011 and the owner or his duly authorized representative and any interested parties or their duly authorized representatives were properly notified of the time, date and place of the hearing; and

WHEREAS, the Legislative Hearing Officer provided the owner and other interested parties an opportunity to discuss the matter at a Legislative Hearing on September 13, 2011; and

WHEREAS, public hearings was were held on October 5, 2011, November 2, 2011, November 16, 2011, December 21, 2011, January 18, 2012, March 21, 2012, and April 4, 2012 and the Council reviewed the record, which included the exhibits from the Department of Safety and Inspections, the minutes and recommendation of the legislative hearing officer and any testimony at the hearing; Now, Therefore, Be It

RESOLVED, that the Saint Paul City Council hereby finds:

1. That the structure(s) at 499 LYNNHURST AVENUE WEST is a nuisance building pursuant to Saint Paul Legislative Code §45.02, as 1) it is a vacant building as defined in §43.02; and 2) it has multiple housing code or building code violations or it has conditions constituting material endangerment as defined in §34.23, or it has a documented and confirmed history as a blighting influence in the community; and 3) these nuisance conditions have not been corrected after notice of the same to the owner;
2. That the Department of Safety and Inspections has complied with all of the procedural requirements of the Saint Paul Legislative Code Chapter 45; and
3. That the owners, interested parties or responsible parties have not presented a plan acceptable to the legislative hearing officer and Department of Safety and Inspections staff to repair the structure(s) and correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code Compliance report and to make the structure(s) safe and code compliant within ~~45~~ 180 days; And, Be It

RESOLVED, that the City Council orders that the owners, interested parties, or responsible parties shall repair the structure, correct all of the deficiencies listed in the Order to Abate Nuisance Building and the Code

Compliance report and to make the structure(s) safe and code compliant, or shall raze and remove the structure(s) within ~~45~~ 180 days; And, Be it

RESOLVED, that the City Council orders that if the building is to be rehabilitated the owner shall complete demolition of the back part of the structure within 60 days of this order, and significant progress shall be made within 120 days, which shall be determined by the Building Official reviewing existing permits and inspection results; And, Be it

FURTHER RESOLVED, that if the necessary corrective action has not been taken within the time allotted, the Department of Safety and Inspections is authorized to take those steps necessary to raze and remove this structure and to charge the costs incurred in accordance with Saint Paul Legislative Code §45.12(4). Any personal property or fixtures of any kind shall be removed by the owners, interested parties or responsible parties prior to the demolition or it will be considered to be abandoned and the City of Saint Paul shall remove and dispose of such property as it deems appropriate; And, Be It

FINALLY RESOLVED, that this resolution shall be served on any of the parties required to be notified in Saint Paul Legislative Code §45.12(4).